

JOINT CAPITAL BUDGET MEETING

BUDGET AND FINANCE

AND

WAYS AND MEANS

The joint Budget and Finance and Ways and Means Capital Budget Meeting was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, Smithtown, New York, on May 24th, 2006.

MEMBERS PRESENT:

Legislator Ricardo Montano • Chairman • Budget and Finance
Legislator Louis D'Amato • Chairman • Ways and Means
Legislator Cooper • Member of Budget and Finance
Legislator Alden • Member of Budget and Finance
Legislator Steve Stern • Member of Ways and Means
Legislator Edward Romaine • Member of Ways and Means
Legislator John Kennedy • Member of Ways and Means
Legislator William Lindsay • Presiding Officer

ALSO IN ATTENDANCE:

George Nolan • Counsel to the Legislature
Gail Vizzini • Director Budget Review Office
Joe Muncey • Budget Review Office
Richard Baker • Clerk's Office
Judy Pascale • Suffolk County Clerk
Anita Katz • Commissioner of Board of Elections
Penny Wells LaValle • Real Property Tax Service Agency

MINUTES TAKEN BY:

Donna Catalano • Court Stenographer

(* THE MEETING WAS CALLED TO ORDER AT 9:42 A.M. *)

CHAIRMAN MONTANO:

We're going to start the meeting so we can wrap it up. This is the joint committee meeting of the Budget and Finance Committee and Ways and Means. Myself and Legislator D'Amaro are Chairmans •• Chairpersons of the respective committees and Legislator Cooper. Please stand for the Pledge of Allegiance led by Legislator Cooper. Thank you

SALUTATION

CHAIRMAN MONTANO:

Thank you. We have three cards, but before we do that, I'm going to ask the Budget Review Office to do an overview of the budget. Gail, if you would let us know where we are at with some of the items that are before us.

MS. VIZZINI:

Basically, the Budget Review Office Report on the County Executive's Capital Program brings up certain issues relative to the committees' interest. There is a very strong relationship between the Capital Program and the Operating Budget, particularly the debt service that's incurred when we advance the projects in the Capital Program. We have an extensive discussion of debt service, and in particular we want to point out the pay•as•you•go monies.

Pay•as•you•go is another Operating Budget line item. This, as you all know, is cash in lieu of bonding and incurring the associated debt service for projects. There is very little pay•as•you•go money included in the Capital

Program, and the Legislature and the County Executive took the combined action just recently to strike the pay•as•you•go appropriations in the current 2006 Operating Budget. For your information, there is a resolution that's laid on the table to waive the Local Law, to waive the pay•as•you•go. So if this waiver is approved, it expands 2006 and 2007.

CHAIRMAN MONTANO:

Is that what they refer to as 5•25•5?

MS. VIZZINI:

That's correct.

CHAIRMAN MONTANO:

I never understood that.

MS. VIZZINI:

Again, it's a cautionary statement the part of the County Executive. We would have to be cautious in terms of the additional pay•as•you•go monies that we would include in any changes to the Capital Program unless we were not going to move forward with this waiver. But that's another major policy decision.

CHAIRMAN MONTANO:

How much are we talking about in the pay•as•you•go this year?

MS. VIZZINI:

There's 7.5 million in the Operating, but the current Capital Program includes 24 million.

LEG. MONTANO:

Twenty four in the Capital.

MS. VIZZINI:

Correct. The new program includes only about a million in each year for pay •as•you•go. I want to bring to the committee's attention that each Capital Project is ranked, it gets a score, and this is a very helpful tool in determining which are priority projects and which are not. And the report includes a revised ranking form so that we have even stronger ways for the planning aspects of projects and the fiscal accountability.

The other major project, although is not particularly represented at this committee is the, as you know, incinerator. But from a budgetary point of view, the 2006 money is used as a significant offset for numerous 2006 projects as they are presented in the new program.

CHAIRMAN MONTANO:

That was the 41 million, and we're down to how much •• how much of the 41 million has already been used for offsets?

MS. VIZZINI:

It's 46 million.

CHAIRMAN MONTANO:

Forty six million, okay.

MS. VIZZINI:

We believe about 23 million has been used as offsets or is planned to be used as offsets according to the way we read the document.

CHAIRMAN MONTANO:

All right. So there would be 23 million left and we would need •• and the project has gone up to 61 million, is that ••

MS. VIZZINI:

That's correct.

CHAIRMAN MONTANO:

Lou.

LEG. D'AMARO:

Good morning. I just had a quick question for the Budget Review Office. The County Executive sent over a Capital Project that is actually less than last year, but of course, as the BRO points out, the debt services in the Operating Budget •• which is serviced by the Operating Budget is expected to rise substantially over the next four or five years because of the major projects coming on line.

There's a recommendation on Page 15 of the BRO Report that says establish a policy to restrict borrowing to an affordable level. And what I'd like to know is whether or not that has ever been done before in the County, and if we were to consider that, how would that work.

MR. LIPP:

It's a long•term process. It has happened •• hasn't occurred to date. What you would have to do is the control the Legislature has over the process is the authorizations during the year. So for instance, the '06 adopted from last year, the Legislature would adopt resolutions to authorize and spend borrowing money so that you could restrict to a certain level how much you would want to adopt each year in terms of an authorization. And there are different ways you could look at that. You know, we could look at different formulas, perhaps a level debt service policy, debt service going up by a certain percentage, a whole variety of potential ways. And one way the, for instance, capital ranking form would come in is if you set a dollar amount, you could use a capital ranking form to prioritize and then basically you have a cutoff there, a bit of a constraint. And, of course, you could use some

discretion as to whether or not you would want to move certain projects if they required special consideration.

LEG. D'AMARO:

If that type of policy were adopted, would that decrease the debt service that you're projecting from 2007 through 2010, the increase in debt service, would it impact that or would it just prevent even higher debt service numbers in those years?

MR. LIPP:

It probably would have a minimal affect over that period. The reason being that we have a very large amount of pipeline debt, if you will, authorized unissued debt that's been authorized by the County from prior years. So unless we actually went through previous authorizations as has been suggested by the County Executive and rescind substantial amounts, which, you know, is not an easy process, then probably this sort of policy we're talking about here would be most effective for a longer term. But unless you start it, that longer term will never come to be.

LEG. D'AMARO:

Okay. Thank you.

CHAIRMAN MONTANO:

Any other questions? Mr. Presiding Officer, any questions?

P.O. LINDSAY:

No.

CHAIRMAN MONTANO:

Legislator Stern.

LEG. STERN:

Thank you. Good morning. Gail, I'm wondering if •• we had discussed 5560, which was in the County Executive's materials, but there wasn't a specific consideration in BRO's. I'm wondering if you had the opportunity to review 5560 and what you came up with.

MS. VIZZINI:

Yes. The reason that was not written as a project was it fell in the criteria that the monies were included in the Capital Program exactly as they had been in the past several years, and this particular section is not critical to the major development. But as I mentioned in the Letter of Introduction, we do have a concern that there isn't another project in there to address perhaps in subsequent years what improvements the County may have to make in the event there is that foreseeable development in those three townships.

LEG. STERN:

Assuming that each of those project go forward, have you had an opportunity

to discuss or maybe you can comment on what you think the priority would be for 5560.

MS. VIZZINI:

It will be a significant priority, but I think discussions with Public Works would be most appropriate. You know, as the developers get closer to solidifying exactly what traffic mitigation is necessary in those areas, then Public Works will probably be able to do some preliminary design work. My concern was that we know that something is coming, so if the Capital Program is a planning document,

At least in subsequent years, assuming that we have to do something within the next five years, would be the appropriate place to put it at least in planning money.

LEG. STERN:

Thank you.

CHAIRMAN MONTANO:

Gail, I have a question. Gail, we keep hearing that the •• we understand that Capital Budget is a planning document, but I'm trying to get an idea of what we planned for in 2006 and how much of that was appropriated? In other words, what was the •• can you tell me what our projections were for 2006, what we budgeted in the Capital Budget last year? And these are ballpark, you don't have to give me exacts.

MS. VIZZINI:

We adopted about \$241 million in 2006 Capital Budget.

CHAIRMAN MONTANO:

How much of that 241 are we going to appropriate, have we appropriated and are we going to appropriate in this year?

MS. VIZZINI:

We actually track all of the appropriations. So I can give you that information.

CHAIRMAN MONTANO:

Are we going to do all of it, are we going to spend it all, half of it?

MS. VIZZINI:

We usually do not spend all of it. And it has to do with several things. First of all, the projects have to be ready to move. Again, because this is a planning document, not everything is going to require authorization in the precise year which it is funded.

CHAIRMAN MONTANO:

We try and be as exact as we can.

MS. VIZZINI:

Exactly. And because we have our offset requirements, sometimes there are unanticipated expenditures; either cost escalation or new projects or what have you. So even though we have a plan to do X, Y comes along which is an emergency or a cost escalation, and we must offset X in order to accommodate the needs of Y.

CHAIRMAN MONTANO:

Okay. So getting back to the question. If we appropriate or we adopted 241 million in the 2006 Operating Budget, how much of that have we appropriated, are going to appropriate, including the offsets? Are we going to spend 241 million, are we going to spend 200, 175. Do you have any idea. I'm just trying •• this is for really my understanding of, you know, the process when we get into the working group, because we are moving projects around within the proposed Capital Budget.

MS. VIZZINI:

We will try to get that, where we are in terms of appropriations. Keep in mind that we appropriate these Capital projects right up until the last meeting in December. As a matter of fact, it's usually a proliferation of appropriations by the end of the year, because of the very fact that if we do not appropriate, the money is lost.

CHAIRMAN MONTANO:

I understand. And I guess the point I'm getting at is that whether we have

hard figures for this year or hard figures for the year previous, I'm trying to get an idea of how much of the amount which is appropriated is actually spent in a given year if we can do it in that way. I just want to see whether or not when we do plan, we're planning within a concern degree of certainty. What was appropriated in '05?

MS. VIZZINI:

We have that also.

CHAIRMAN MONTANO:

We're on the same page. We're trying to get an idea of the figures.

MR. LIPP:

While we are looking for that, in large part because of the advancement of monies last year for the jail, the authorized unissued debt went up, excluding police and sewers, by, like, 37 million or so.

CHAIRMAN MONTANO:

Right, but that's a separate category.

MR. LIPP:

It speaks to how much we were appropriating last year.

CHAIRMAN MONTANO:

Let me ask you this, and it's a good point. We appropriated the money for the jail in '05, but what I'm asking is how much was the adopted budget, Legislator Lindsay's question, how much was adopted in '05, and how much did we appropriate in '05 including the jail?

LEG. ALDEN:

Mr. Chairman.

LEG. MONTANO:

Legislator Alden.

LEG. ALDEN:

I think if you're going to look at how much we normally appropriate and spend, you would have to go back before '05, because '05, there's probably close to \$100 million on the jail project. There was 55 and then we appropriated another 100, so it's, like, 155. So that's going to be a little bit of, you know, like, an off type of year.

LEG. MONTANO:

I understand that.

LEG. ALDEN:

And also this year, it's always the Legislature that controls how much gets appropriated. So Budget Review can tell us how much has been appropriated

to date, but as far as what happens between now and the end of the year, it's always us. If we have a project we want to push, appropriate ••

LEG. MONTANO:

Or the County Executive.

LEG. ALDEN:

Exactly. So it's our policy decision, not theirs.

CHAIRMAN MONTANO:

No. I agree with you. What I'm simply trying to ascertain is just to get an idea of how much we appropriate •• I'm sorry •• how much we adopted in a given year and how much of that is actually appropriated, you know, the next year. That's all I'm trying to find out. I know you don't have those answers now, maybe we can get to them later.

MS. VIZZINI:

I have partial, and I can get the rest of it. 2006, we adopted 241 million in projects, and year•to•date, we've appropriated 24.7 million.

CHAIRMAN MONTANO:

That's 10%.

MS. VIZZINI:

Right.

CHAIRMAN MONTANO:

And where do you think we'll be at the end of the year? Are we going to be at 50%, or do you think •• because there may be a mad rush at the end of the year to appropriate.

MS. VIZZINI:

I think we'll certainly be at greater than 50%. In 2005, we appropriated 208 million.

CHAIRMAN MONTANO:

We appropriated?

MS. VIZZINI:

Correct.

CHAIRMAN MONTANO:

And how much did we adopt?

MS. VIZZINI:

We're getting that.

CHAIRMAN MONTANO:

Because you need the two.

MS. VIZZINI:

But keep in mind that 93 million of that was for one project.

CHAIRMAN MONTANO:

The jail, right.

LEG. ALDEN:

also, there was 55 million in there for last year •• for this year that was adopted last year.

MS. VIZZINI:

Correct. There's 51 million.

LEG. ALDEN:

So there's almost \$150 million just on jail projects.

MS. VIZZINI:

Right, but we haven't appropriated what's in '06 for the jail yet.

LEG. MONTANO:

Okay. I'm going to get back to the •• any other questions from any other Legislators? Legislator Romaine?

LEG. ROMAINE:

I see the County Clark is here, but she'll make her own ••

CHAIRMAN MONTANO:

She is on the list. In fact, she's next.

LEG. ROMAINE:

However, I do have some questions for BRO. I know that the Federal Government has mandated to the State of New York and all states for that matter move towards the purchase of electronic voting equipment, and while there's some debate between DRE and Optical Scanning, etcetera, it's evident that the Suffolk County Board of Elections is going to have to make a purchase of some new equipment at some point. How much has the County

Executive provided for this in the Capital Budget?

MS. VIZZINI:

There is no project for this in the Capital Program.

LEG. ROMAINE:

He has provided zero dollars. You know, I see the Executive's representatives leaving on a telephone call, so I don't want to interrupt him. However, maybe you could •• do you have any idea how the Executive Branch of Government has proposed to pay for the new machines that might be required. I see Anita Katz is here.

CHAIRMAN MONTANO:

Legislator romaine, we have Judith Pascale on the list, Anita Katz and Penny Wells, so why don't we hear their presentation first and then ask those questions?

LEG. ROMAINE:

One other quick question. For 16 years, I served as County Clerk, and I was very fortunate, because one of first projects I finished was the Juliette Kunsella storage facility, which had a driveway. Fortunate for that driveway, I was able to find parking space in days of horrible, horrible times, because that parking lot, particularly when there's an active Court calender, it's jammed with people parking all over the grass and all over the place. I see 1677 has a master plan for the Riverhead County Center for parking; however, apparently no money has been allocated and the indication is that last year the Legislature put in money to do a plan. Has that money been

appropriated yet?

MR. REINHEIMER:

No, it hasn't. According the proposed Capital Program, they're planning on using funds in Capital Project 1133, which is renovations to the Surrogates Court and use some of the planning money in there for the parking study. We don't recommend that. We recommend reinstating the Capital Program for the parking study to see what can be done there. As you know, that's a very sensitive area environmentally and restricted area, it's difficult to know what we can do for parking. It really needs a study.

LEG. ROMAINE:

Now, let me just follow up on that with one other question. There was a study approved, is that not correct?

MR. REINHEIMER:

The Legislature put in \$50,000 for a Capital Project for that study.

LEG. ROMAINE:

And the Executive signed it or vetoed that?

MR. REINHEIMER:

No. That was in the adopted 2006•2008 Capital Program, but it has not been

appropriated. That was discontinued in this proposed program.

LEG. ROMAINE:

Well, we haven't adopted this proposed program. So I don't see Legislative Counsel here, but if I could make a recommendation, I'd like Counsel put a resolution forward to appropriate it with my name, and certainly I will seek cosponsors from my fellow Legislators, because parking is a tremendous problem, it affects the Courts, it affects the public, there's a lot of public traffic, people visiting the County Clerk's Office, the Real Property Tax Service Agency, the Treasurer's Office and a whole myriad of the Surrogates Court, the County and Supreme Court that are over there and the Arthur Cromarty Building, and that parking is just •• on days you cannot park near that building, people are parking all over the grass.

I think that planning study for 50,000 needs to go forward. I know essentially the County Center and that area is cranberry bogs and ponds and it's environmentally sensitive, and I think a study would be •• at least give us a guide post of what needs to be done. I agree with BRO and would ask that that •• my name be added to a resolution to appropriate the money. Thank you.

CHAIRMAN MONTANO:

Are you asking them to prepare a bill as a stand•alone? Because we're in an Omnibus Committee process now.

LEG. STERN:

Mr. Chairman.

LEG. MONTANO:

Hold on. I need some order here. Legislator Alden is next. And, Bill, you want to chime in as the Presiding Officer?

P.O. LINDSAY:

No, go ahead.

LEG. MONTANO:

Legislator Alden.

LEG. ALDEN:

That money is in the 2006 plan.

MS. VIZZINI:

I want to clarify that. We just checked ••

LEG. ALDEN:

Because if it's in 2006 plan, you just do •• it doesn't have to be a stand
•alone, it's a resolution to appropriate the money this year if it's in there.

MS. VIZZINI:

But it's scheduled in the Year 2007 in the 2006•2008 Capital Program.
so what I believe you would •• I'd be happy to prepare an amendment.
to ••

LEG. ALDEN:

You have to find an offset.

MS. VIZZINI:

No. It's not in '06, it's in '07.

LEG. ALDEN:

If he wants to move it up into '06, he finds an offset.

LEG. ROMAINE:

I have an offset, and my office •• if you call Bill Faulk, he'll tell you what that offset is.

MS. VIZZINI:

Oh, you want to move it in '06?

LEG. ROMAINE:

Right. I think that study should be done now, so that the planning ••

LEG. MONTANO:

Does that affect this year's Capital budget.

MS. VIZZINI:

No, but we will be happy to prepare the resolution for you.

LEG. ROMAINE:

Right. And we have an offset if you call Bill.

CHAIRMAN MONTANO:

All right. Legislator Romaine •• Legislator Alden, do you have anything to add?

LEG. ALDEN:

All set.

CHAIRMAN MONTANO:

Legislator Lindsay?

P.O. LINDSAY:

No.

CHAIRMAN MONTANO:

Okay. Anyone else? With that, I'm going to ask the Suffolk County Clerk Judith Pascale to please come up and make your presentation. She will be followed by Anita Katz, Commissioner of the Board of Elections.

MS. PASCALE:

Good morning. Thank you for giving me an opportunity to come before you today. Before I make my presentation for the allocation of funds to complete Capital Project 1751, which is the final phase of our Optical Imaging System, I wanted to share with you some of the fruits of your investment in this system thus far. I'm going to ask my director of Optical Imaging •• we're going to do a little Price is Right. It has a little •• some fingerprints on it.

As you know, the County Clerk's Office has won the E•Government Award, and you can see on that, we received that on April of last month. And if you a had a chance to look at it, you will see that it says that we received this award for delivering high volume to citizens. And this was presented to us on April the 20th of this year. Our director of Optical Imaging actually went to Washington DC to pick this up at his own expense. I think it's important that you know that the investment that's been made by this body as well as the County Executive's Office has achieved this very prestigious award for our office.

In addition, the County Clerk's Office has been praised by many publications; Newsday, Long Island Business News, Federal Computer Week, which is the

sponsor of this award, American City and Country (sic) Magazine, Info World, Computer World as being at the forefront of government's efficient use of information technology.

We have drawn outside public agencies to come out and visit us to see as that program goes how did they that. We've been visited by the Nassau County Clerk's Office on many occasions. And with all due respect to our sister County Clerk, in Suffolk County, the turn around time for the return of a deed is three weeks. In Nassau County, it's 18 months to 24 months. Again, a lot of this is due to the investment that's been made in the County Clerk's Optical Imaging System.

In addition, we've been visited by Pasco County, Florida, they actually sent people up on an airplane to sit with Peter and his staff, and the New York City Mayor's Office on Housing Authority and many other local municipalities. Additionally, including this award, we have named the 2004 Municipality of the Year by Info World, the 2005 Municipal Leader of the World by American City and County Magazine, the Most Innovative IT Projects for 2005 by Info World, and we've also been nominated for the 2006 Computer World Honors Program, and obviously the E•Government Award, the Knowledge Management Award.

I think it's important that we share this with you. And obviously, you know, because of the dedication of the staff that we have, and under Pete Schlussler's direction, this County Clerk's Office in Suffolk County is something that I want to share pride with all of you, because if it were not for the investment that this body has made, and as I said before, along with the County Executive's Office, and with all fairness to my former boss, a lot of this had to do with the vision that Ed Romaine had in the 16 years that he was there.

I bring this before you not because I want to do a show and tell, but because I think it's important that you understand how we're about to embark on the final phase of this project, which is we're pretty much •• we have a little bit more to go, and it is Capital Project 1751.

We are also in the process of finalizing the infrastructure to tie in data with Real Property Tax Service, and I know Penny is here now, the Treasurer •• and are in the preliminary stages of providing law enforcement agencies, both the Police Department and the District Attorney's Office with access to our data to alert them to any anomalies in land transactions, such as I know we picked up a multi•million dollars cash deal. In '05 alone, County Law Enforcement Officials were able to seize a million in assets as a result of them utilizing our system. So this is not something that we just keep •• we are sharing this with other levels of government, because we feel that it's important that our data, even though people don't realize the value of our data, our data has extreme value, not only to the citizens and also title industry and the real estate industry, but it also has a great deal of value to other law enforcement agencies. Good morning.

LEG. KENNEDY:

Good morning.

MS. PASCALE:

The final phase will provide for the digitization of mortgages back to 1969 and deeds back to 1665. And this digitization will be done by redeploying existing staff. And we'll save space in the Riverhead County Center. And those of you that are familiar with the County Center and those of who are

attorneys and familiar with some of the big books that we have, when we redo those books, those are redone at a cost of a thousand dollars a book. So part of the digitization of this data will eliminate the need to redo those books and the storage of those as well. Are there any questions so far.

CHAIRMAN MONTANO:

We do have one question. I just want to make sure I understand this. I'm looking at the project here, it looks like prior to December 31st, '05, one million•four hundred and ninety eight was appropriated, an additional one million•two hundred and fifty thousand is required and in the budget. Are you looking for an appropriation for that money or was it appropriated, because I don't think that it's included in 2007 Operating Budget? Gail, maybe you can answer that.

MS. VIZZINI:

What the issue here is the 2006 Capital Program, the adopted program definitely does include the million•two. It's in general fund transfers. It's in pay•as•you•go money. So this project as well as many other projects that are funded with pay•as•you•go have been •• there's been no appropriating resolution until we resolve the issue of pay•as•you•go.

CHAIRMAN MONTANO:

Didn't we resolve that in the No•Frills Budget Bill that we passed the other day?

MS. VIZZINI:

It's a two step resolution.

LEG. D'AMARO:

But we required the waiver, the Charter Waiver then in order to take it out of pay•as•you•go and be able to bond for the 1.25.

MS. VIZZINI:

Correct. The IR 1647 was laid on the table at the last meeting. It will be before you. And this will be the significant issue that that will give you the waiver to waive the Local Law and permit you to change the method of funding and then the decision which projects have merit to progress.

CHAIRMAN MONTANO:

Okay. My aide tells me that that's before my committee and we'll have a public hearing on the 13th. But that should resolve the issue this year, am I correct?

MS. VIZZINI:

Yes. The waiver actually is for '06 and '07.

CHAIRMAN MONTANO:

Okay. We got the answer we were looking for. Thank you. Go ahead.

MS. PASCALE:

One last item. Another benefit that has come out of the utilization of this system is that all town, village tax assessors, there are 43 tax assessors in the County of Suffolk, unlike Nassau County who has one, but what we have managed to do in effort to share our data, again, with other levels of government is that they have access to our deed data and images for their use in their respective offices. And this process used to be that we used to have somebody actually make copies of information and deliver it to them. They now have this data in real time.

So I don't want anybody here to think that •• you know, we are so appreciative of the support that we've gotten, and we are very, very proud of the progress that we've made, and we share with other levels of government. So not only do we share out information with Real Property and the Treasurer and the law enforcement agencies, but we also share it with the taxing entities in Suffolk County, so that they get the data pretty much as soon as we get it, as soon as it's online. They're getting it, many of them, almost in real time. So I share that with just to give you a little you snapshot of what we've done with the funds that you've given to us up to this point. And it's not just something that, you know, we kept to ourselves. Do you have any questions, anybody?

LEG. MONTANO:

Any questions? Legislator Romaine.

LEG. ROMAINE:

Just a few questions.

MS. PASCALE:

I did gave you credit, Ed.

LEG. ROMAIN:

I'm just a Legislator. Let me ask you a question about the office. When 1751 is finished, every deed will be digitized and available back to?

MS. PASCALE:

1665.

LEG. ROMAIN:

Okay. Although there's a deed from 1660, an Indian deed.

MS. PASCALE:

If you knew the answer ••

CHAIRMAN MONTANO:

Ed, I thought Islip goes back to 1663. We're missing two years.

LEG. ROMAINE:

No. No. When they started to record the deeds with the Clerk of the County Court ••

LEG. MONTANO:

So the first deed was 1665?

LEG. ROMAINE:

1660 there was an Indian deed. But they all came to the Clerk after it was formed in 1683. Anyway, getting back to the record, I know you talked about 1751, and I hope the Legislature understands exactly what that means, that all of our deeds and our mortgages back to •• that would 1969 •• all of those will be available. And we're doing that project now so that any extraneous information will be erased, at least online, you can't erase it in it's original format. That will be all available. Now this award that you won, who were the other contestants that you beat out, if I could just ask that question.

MS. PASCALE:

I will defer to our Director of Optical Imaging, because •• and I do want to just mention one thing, and he's probably going to be embarrassed by this, but Schlusser went to Washington DC at his own expense to pick up this

award on behalf of Suffolk County. So I just want to •• this is the kind of passion that we have about this system and this project.

MR. SCHLUSSLER:

Ed, good morning. Several competitors on several awards that we won recently, but the one that we picked up in Washington last month was against the FBI, the Navy, the Air Force, some of the larger government agencies.

LEG. ROMAINE:

Post Office.

MR. SCHLUSSLER:

Post Office was one of it also. The one we're picking up next month in a couple of weeks, essentially we'd be competing with the private sector, the Microsoft, the Computer Associates, so on and so forth. So it's a bunch of heavy hitters out there for a small office. It was pretty •• pretty impressive for us.

LEG. ROMAINE:

Since you're at bat, let me talk about something else that I did not see in the Capital Project that I know is •• when I was Clerk was my number one priority, because when you have all this data, and I just want to •• I hope my colleagues appreciate it, protecting this data is most important. And we got a letter from Ms. Pascale last •• I guess it was a few weeks ago.

MS. PASCALE:

May 4th.

LEG. ROMAINE:

May 4th. Concerning the need for a data center.

MS. PASCALE:

That was my next •• my next ••

LEG. ROMAINE:

Okay. I'll let you do it then.

CHAIRMAN MONTANO:

Are you going to continue?

MS. PASCALE:

I'd like to if that's okay. Just very briefly.

LEG. MONTANO:

I thought you were done.

MS. PASCALE:

Well, I'm done with 1751, but I also this other one. I'll give you the other portion of it. I sent a letter to each of the Legislators as well as, I believe, the County Executive about the deplorable condition or almost not existence of the data center in the Riverhead County Center. As you know, we believe that monies were appropriated to renovate the County Center. We have been asking for this data center for several years, and as Legislator Romaine mentioned, this has been something that he's been very passionate about. And I just needed to caution everyone about the peril that our records are in unless something is done about the data center.

Just to go over some of the items that I mentioned in the letter, we currently have 15 servers in optical storage library and in excess of 60,000 microfilm tapes in the existing facility, which is dangerously inadequate and antiquated. On April 4th, we experienced a power failure due to faulty backup equipment. Again, on April 17th, the data center flooded overnight due to a switch failure in the condensation pump.

And there's no alarm in there, we did not learn about the flood until the next morning, and I believe Peter's staff was notified by maintenance that, oh, yeah, there's a flood up there. We were told by the repair service that the remaining cooling units are in desperate need of upgrading and will also likely fail shortly. And I bring this to your attention, because I don't know if any of you have had a chance to read Newsday today, but in all of the indications on

the news are showing that we are in for another difficult hurricane season, and they're telling government to be prepared. Well, we are not prepared.

The data center that's there now has glass windows, there are trees outside the glass windows that, you know, in the event a high wind, I just need to make sure everybody understands that our records are in peril. So I ask that \$400,000 be appropriated for us to renovate and upgrade this data center, because we are not certain about the status of the renovation of the Riverhead County Center, which I believe was going to be thrown in that, and then I heard there were some changes made to that as well.

So I'm not here to discuss that. I am just here to tell you that I ask you to help us protect the records. We are an innovative County Clerk's Office, we are •• you know, we are somebody that we're the role model for other levels of government. I just need to make sure that the data that we have and we've worked so hard to achieve getting on the system is protected.

CHAIRMAN MONTANO:

Thank you.

MS. PASCALE:

Thank you very much.

CHAIRMAN MONTANO:

Any questions? First, Legislator D'Amaro, then Legislator Kennedy.

LEG. D'AMARO:

Just the 400,000 request is to upgrade the existing facility; is that correct?

MS. PASCALE:

Yes. There is a room up there. You just want to talk about ••

MR. SCHLUSSLER:

The existing data center is more or less adequate from a footprint standpoint. However, it has glass in it, as Ms. Pascale discussed. The electricity needs to be upgrades and obviously, our air conditioning system and we have no alarming up there. I just want to emphasize the seriousness of this. When we lost electricity in that data center, it essentially unplugged all the servers in the data center. And if anybody really understands from a technical standpoint, when you do that to data bases, it destroy them.

So we were down for five hours, which to tell you the truth wasn't bad for us to rebuild the data bases, but in some cases, you may not be able to rebuild these data bases. It is so critical that our infrastructure in this County be upgraded, I can't emphasize that as being the most important thing that needs to be done now. I mean, we talk about other initiatives on a County •wide level from a technical standpoint, but the infrastructure is the most important thing, data centers and networks. The networks we have difficulties with. Again, yesterday, we had problems last Friday, but part of it is the data center and networks. We must allocate focused money towards these both •• these areas.

LEG. D'AMARO:

How did you couple up with the 400,000 figure.

MR. SCHLUSSLER:

It was a per square formula given to us by DPW.

LEG. D'AMARO:

Thank you.

CHAIRMAN MONTANO:

Legislator Kennedy.

LEG. KENNEDY:

Thank you, Mr. Chair. Good morning. I just wanted to just frame a little bit of the data center issue beyond, I guess, what you've talked about. Having been out there for all time I was out there, when we get any kind have compromise in the system, not only do we have a concern be the hundreds of thousands of dollars worth of hardware there, but that also impacts the ability of the office to go ahead and essentially transact anything for the course of the day. And an average, the office is continuing to go ahead and throw a general deposit one•five, one•seven?

MS. PASCALE:

Our average deposits are about two million a day, sometimes two•five, close to two million is the average.

LEG. KENNEDY:

Right. So the real time net impact of having an interruption in operation of services, not only what you talk about as far as the jeopardy of the integrity of the equipment itself, but there's a hard dollar impact associated with our ability •• the time value of money, the ability to go ahead and transact, that is lost forever. You cannot recapture that ability to go ahead and throw on that particular day.

MR. SCHLUSSLER:

To take it a step further, John, it's a billion dollars a week in real estate transaction that go through our system. So I mean, that's some serious cash. You're talking almost about \$45 billion last year alone that went through the system in transactions.

LEG. KENNEDY:

This one again, I guess, I'll pose to you and to BRO as well. What was the net contribution out of the Clerk's Office into the General Fund last year through fees and verification?

MS. PASCALE:

I'm being told 16 million.

LEG. KENNEDY:

Sixteen million dollars. And it is the only office ••

MS. PASCALE:

That's just to the General Fund.

LEG. KENNEDY:

We are a revenue generator in essence, a money maker for the County of Suffolk.

MS. PASCALE:

It's my understanding that we're the largest revenue producer for the County.

LEG. KENNEDY:

So an investment of 400,000 to preserve the ability to continue to go ahead and transact two million per day, 488 million, I guess, across the year and 16 million into the General Fund seems to be economically prudent and certainly from a systems perspective something that we as an entity would want to

do. Thank you.

CHAIRMAN MONTANO:

I'll first recognize Legislator Alden, Legislator Romaine.

LEG. ALDEN:

Now, the 400,000, does that cover a backup generator or generate a increase in capacity?

MR. SCHLUSSLER:

A new UPS Sytem, which is essentially batteries.

LEG. ALDEN:

How long are the batteries good for?

MR. SCHLUSSLER:

Typically you only need them to last roughly an hour or two, but I want something that would last significantly. You want enough time so that you could shut down your servers nicely.

LEG. ALDEN:

But how long would the batteries, this back•up battery system ••

MR. SCHLUSSLER:

Typically an hour, but we would scale it up to no more than two to three hours.

MS. PASCALE:

The county Center is •• we also have the powerhouse right there. And, you know, sometimes in times of potential brownout in the past when we've had to load share, what they will do is they will kick on the generator at the powerhouse and that runs the County Center, and I believe the jail as well. So there is •• the County does have a generator system in the powerhouse in Riverhead.

LEG. ALDEN:

I was going to say, we just upgraded that for, like, a couple of million bucks last year.

MS. PASCALE:

Yeah, but that doesn't help our system.

LEG. ALDEN:

Now I understand what you want. You want something just so that you can orderly shut down the servers, save the data and then if the generator has to kick on, the generator has to kick on. But you're not looking at a new generation system, you're just looking for backup batteries basically.

MS. PASCALE:

And alarms, and also, we have to cover all the glass. As you know, if you've been at the County Center, everything is glass, the windows are glass, those all have to be •• I'm not going to use the term boarded up, because it certainly wouldn't be done that crudely, but that's out intention. It should not have any glass in room at all.

LEG. ALDEN:

Thank you.

MS. PASCALE:

And it also needs climate control and an alarm system.

CHAIRMAN MONTANO:

Did you have anything to add?

LEG. ROMAINE:

I'll just add a few things from perspective of over 16 years there. The system was constantly going down. The data center is run by IS, not by the County Clerk's Office currently. And the IS was the same department that allowed the maintenance on that facility, on the data facility, to expire. My confidence in IS to run the data center was less than minimal. I think the County Clerk's request for a data center is absolutely on the market. We're revamping this building now, we're redoing it now. This data center should be an interior data center. It should be secure, the •• all the servers are put, because we have multiple servers, where the over a hundred thousand tapes of microfilm, which is the heart and soul of the system because it's our emergency backup should be stored, although we store tapes in multiple places in case of destruction of the County Center, we can reconstruct the records of this County.

However, this is critical. We're doing the building now. This is time to do it. I won't wait to 2007. Construction is starting on the building now, I'd advance this to 2006. We need to build a data center to protect our data. You have no idea how frustrating it is to sit there and watch your data go down. I mean, regularly in a given month two or three times a given month, and we'd be stuck because we couldn't record because we're on computers, the title searches couldn't search, people coming in couldn't use our facilities. It is so frustrating.

And then to face a potential disaster that could destroy all our data for a loss of \$400,000 to build what everyone in the industry has said is needed, I got to tell you, I think this is a top priority. We're talking about preserving our court records, we're talking about preserving our land records, our debt records, our business records in this County. I mean, this should be a top priority for \$400,000.

And the reason that we should advance it to 2006 is because we're doing the

construction of the building now. And we've identified interior spaces where this could be built. So I can not say how high of a priority this needs to be, particularly as we face hurricane season coming on. If we have a terrible hurricane and that smashes the data center or the refrigeration units fails or the dehumidification fails, which has failed repeatedly, there are no alarm systems at the data center that IS, and they're not here pounding on our doors asking for this, and this is absolutely necessary to preserve and maintain data of this County. This is not a political or should even be a budgetary issue. It's a necessity. Thank you.

MS. VIZZINI:

Mr. Chairman.

CHAIRMAN MONTANO:

Gail, do you have something to add?

MS. VIZZINI:

Yes. There is \$400,000 in the 2006 adopted Capital Program, which could be appropriated by resolution for this project.

LEG. ALDEN:

Draft it.

LEG. ROMAINE:

Our Counsel is here. I'd ask for that resolution to be introduced.

CHAIRMAN MONTANO:

He'll do it.

LEG. ROMAINE:

Hopefully we will have a lot of cosponsors.

CHAIRMAN MONTANO:

He'll do it. Judy, I want to thank you, Pete, on behalf of the Budget and Finance Committee and also on behalf of the Ways and Means Committee. We want to congratulate you for receiving the E•government award. You know, thank you very much. Your staff is to be commended. And we will look at the items you brought forward and deal with those accordingly. Thank you very much.

MS. PASCALE:

Thank you very much for your time. And again, while I credit my staff and Peter and obviously Ed's vision for this, none of this would have been possible without the support this of this body, both past and present, and this County Executive's office, who have been very, very good to us in terms of giving us what we needed. So I really wanted to share that with all have you. This is

about good government, and this is about bringing government to the people. And I share this with you with pride.

LEG. ALDEN:

I think we'll just take that little plaque then.

MS. PASCALE:

It has a LOJACK on it. Thank you.

CHAIRMAN MONTANO:

All right. Next on the agenda, I'm sorry we had to make you wait, Commissioner Anita Katz from the Board of Elections, of course. And in the intro it says Capital Program 1459 and 1461. Anita, how are you?

MS. KATZ:

Good morning. Commissioner Garfinkle is on vacation, that's why he is not with me today, by the way. I'm here to speak about those two Capital Projects and one additional one that is not included, which I think would address the questions that Legislator Romaine was asking earlier. With regard to 1461, that was the Board of Election's request for modifications for the warehouse for the new voting machines. That is included in the County Executive's budget as well as being recommended by Budget Review. It's an upgrade to our second warehouse, which has no air conditioning. I cannot account for the reason that warehouse one and warehouse three has air conditioning, but warehouse two never did. So we need to have a climate

controlled warehouse to keep all of the machines in. Also, it is for electrical work. If you plug a coffee pot in at the Board of Elections, you blow out almost half the floor. So we absolutely need the additional wiring. The Department of Public Works has come up with the amount of money that we needed. It is for putting in lines to charge up all of the battery systems for any of the new machines that we get.

CHAIRMAN MONTANO:

That's in 2006, right?

MS. KATZ:

Yes.

LEG. MONTANO:

Okay.

MS. KATZ:

And RFP has already gone out for that one, as a matter of fact. DPW understands that we need to get this moving right away. So we should have an answer on that very quickly as to who won the bid. So 1461 is included both by the County Exec and by BRO.

1459 is the other one I wanted to speak about this morning. That is recommended by Budget Review, it was not recommended by the County

Executive. I did speak to him, unfortunately it had already been removed. I spoke to him too late. He did say if it was put back in, he would consider it. What I wanted to make clear is unfortunately, I think the way the Department of Public Works described this request, it sounds like a cosmetic request. They are using words like floor and wall finishes and ceilings and lighting. That is not really an accurate representation of what it is.

In light of my previous comments about air conditioning in the Board of Elections, there is no duct work in any of the interior offices in the front of the building. Again, no one has an explanation, but it is 95 degrees there already. Any of the offices that have an outside window, we have brought small air conditioners, the way you would in the home. But all of the interior offices have absolutely no duct work. This is something just discovered by the Department of Public Works, because every year we ask them to come by and try to adjust the thermostat. Nothing happens, and now we know why, there's no duct work in the inner offices.

Also we have a huge issue with fire alarms and sprinklers. I know the County has had an issue of the police or the fire department coming out on false alarms. We have them very frequently because however the system was set up if a bird flies by or a window blows open, the fire alarm goes off and then the fire department has to come and someone from the Board of Elections comes. And there is huge waste of money. Windows is the third part of the this request. When it rains outside, it rains inside at the board. When I go home at night and have to close my window, I have this very special little tool, it's a letter opener, and I pry the button really tight so it doesn't blow open and I'm not responsible for the fire department coming because the alarm went off because the window blew open.

So although it is written as a partial cosmetic, it also talks about fire alarms, mechanical system and windows. That is what this proposal is, and I think

that's why Verna very nicely came out, took a tour, and that's why she included it as did Gail in the Budget Review recommendation. So I would appreciate serious consideration on that one.

LEG. MONTANO:

Quick question. What I'm looking at here is that it's included, 75,000 in '08 and then in subsequently years, 725. The recommendation that you made, is that to move it up?

MS. KATZ:

The recommendation says as scheduled in construction funds of 1,250,000 be added in 2007 as requested by DPW and as adopted. I'm reading out of the Budget Review printout.

CHAIRMAN MONTANO:

Oh, I'm on 1659.

MS. KATZ:

Okay. It's 1459, improvements to the Board of Elections.

LEG. D'AMARO:

I believe there's included in the adopted 2006 budget, there's 120,000; is that correct?

MS. KATZ:

Right. That's the planning money.

LEG. D'AMARO:

And according to the BRO Report, the RFP is scheduled to go out in July of '06. Do we know if that's still on track?

MS. KATZ:

I think it is.

CHAIRMAN MONTANO:

Go ahead.

MS. KATZ:

As to the third item, and I think this may have been what Legislator Romaine was discussing. We have not put in money, although we did have what we called a floating Capital Budget request for voting machines, which was \$12 million, but each time Commission Garfinkle and I came here, we said do not include that, it's sort of a place holder. We don't need it included, we're waiting for the state. Every time we come here, we're say we're waiting for the state. I think the state has finally moved. We are •• as most of you

know, we've got a consent decree that the New York State Board of Elections will have to sign off on. And we are waiting for a judge to okay what is being called Plan B, which is some sort of HAVA compliance for 2006.

So for this year's election there will be a Band•Aid approach frankly, and that's even the way the judge is approaching it at this point. Just so that we are not in violation of HAVA rules, which said we should have been ready in New York State in 2006 and lose all our money, so that we can hold onto the money, each County bid a mini proposal for Plan B. Suffolk County bid one HAVA machine for each town and two in the Town of Brookhaven, obviously because of the size. For instance, Nassau County bid one for each Assembly District, New York City bid one for each borough. I don't know how that's acceptable, but it seems to be. So they bid one for each borough.

If that plan goes through, we will have one machine preferably in a municipal building like a Town Hall that people can get to that will be HAVA compliant based on 2006, not 2007 New York State requirements. So it will be a small machine that looks like a PC looks now. It is not a full•faced ballot, it is not legal in New York. New York is allowing everyone to use non full•faced machine for Plan B.

We have been told that the money will come from the original pot of HAVA money that each county is getting. So approximately \$150,000 will have to be used for these Plan B machines in Suffolk for September and November, which will come out of the main pot of money, and then those machines will have to be discarded, and we will not be able to use them next year. I would be glad to come to a committee meeting and give you the long version of this. I'm sure you don't want to hear now, but this is in the law, it is not a proposal. So we will be buying 12 machines, 11 plus one in case one goes down for each town for this year. That 150,000 will be coming out of our HAVA money.

Also, two weeks ago, Commissioner Garfinkle and I went to the New York State Board of Elections Commission's conference in Syracuse. Senator Flanagan was there representing the Elections Commission of which he is Chair, and there was a representative of Assemblyman Wright, who is the assembly Elections Commission Chair. When Senator Flanagan got up and spoke, he announced that it was his opinion that New York State was no longer going to provide the 5% matching fund that they had agreed to provide on the HAVA money. This came as a big surprise to all of us, and when the representative from the Assembly got up and spoke, they said, our suggestions to you is find that money somewhere else. So we all know in government speech what that means.

Believe me when I tell you see every time I see Presiding Officer Lindsay, he says, how's it going with HAVA, do you guys need any money? And I always say, no, I think we are okay. And until two weeks ago, that was absolutely true. Now, we are at the stage where we have about 150,000 approximately for the Plan B machines and 5% of the HAVA money that New York State has declined to pay from Operating Budget we think. That is almost a million dollars, because it's close to \$800,000 on 5% of the HAVA money that is coming to Suffolk. Now it doesn't mean we will have to write a check for a million, but they are going to take it right off the top of the 14 million that's been allocated •• or 15 million that's been allocated for Suffolk County.

What happens then for 2007, when we will what we call Plan A, which is full HAVA compliance, a machine in every election district, we are going to take that money, buy machines, and in the end, we will need more machines and there will be no money left. Then the question becomes which of you would like to have an election district where you are running where you need two machines because of the population, and there's only one because we are short the million dollars?

And it's so much money that it's not something that we could easily take out of the Operations Budget and say, well, we'll cobble together 10,000 here and 10,000 there and we're covered. So I apologize for the lateness of this request. Believe me, we would have put it in if we knew about it. People •• the Commissioners •• there was huge outrage that no one told us. But as you know, no one likes to deliver bad news. I don't know if anyone has any questions[.|.|.] we are officially requesting the million dollars that I know the Presiding Officer may have spoken to the Budget Committee about, which would combine the money for the Plan B machines that we need for this and the 5% match that's coming off the top for next year. Remember, it's going to the Capital Budget, but we will not draw on it if there is great largesse in the state and they suddenly agree to pay the 5%. It's not committed to anything, but if we need it in 2007 and we've run out of machine money because of it, we need a place to go. Thank you.

CHAIRMAN MONTANO:

Legislator Stern.

LEG. STERN:

Thank you. Good morning, Anita. The Plan B machines, you had said that perhaps they are going to be in place by •• for this round of the election cycle.

MS. KATZ:

They will.

LEG. STERN:

And that they cannot be used thereafter. What happens to those machines? Can we sell them some place, do we get some money back and recoup it in some way, or is it just a complete loss.

MS. KATZ:

No one really knows. We will certainly try, but because they are not full •faced ballot machines, we will not be able to use them in New York State next year. And they are certified only Plan B, they are not even on the certified list, because they're not full•faced ballot machines. So we will certainly try, but I think at this moment, we do not know what we can do with them.

LEG. STERN:

Do you know if there are any other states that don't have that requirement for full •• face, or is it full•faced requirement under ••

MS. KATZ:

No. New York, and I think Delaware. But basically, for the large states, only New York has full•faced ballots. No one else has it, that's why they have to build special machines just for New York. So we will certainly take your advice and try to sell them. I just don't know •• when we've spoken to the manufacturers, there becomes a warranty issue. They don't want them back necessarily, because they cannot do anything with them. You know, it's a used car. You know, would another Election Commissioner want to buy

that? I don't know. That's why we've made it such a small amount, we're only 12, one for each town and two in Brookhaven.

CHAIRMAN MONTANO:

Legislator Alden:

LEG. ALDEN:

Just one quick question. There's no way we can buy the Plan A machines and qualify for the ••

MS. KATZ:

Not at that point. We are certainly hoping that that becomes true, but they have not certified any Plan A machines yet. In the interim, we don't have a lot of time obviously for this election cycle, we are in it, but they aren't certified yet. We're hoping that a miracle happens, and we will try.

LEG. ALDEN:

Before you mentioned you think you had enough money to buy one machine for each ED, because that's going to be the requirement, right?

MS. KATZ:

More. We have enough for even more than that. Many EDs need two.

LEG. ALDEN:

Okay. But is there a chance that we could cut down on that, because a lot of polling places have, you know, combinations of EDs? So if you have one for

each and you have one spare, so to speak, it could cover more than one ED.

MS. KATZ:

I didn't really want to raise this issue?

LEG. ALDEN:

All right. You want to wait until a committee meeting?

MS. KATZ:

Very briefly, there is a possibility •• the state has yet to rule on how many machines •• or how many voters per machine they are going to allow. For instance, on the old lever machines, it's about 850, depending on the size of the district, you know, whether you need one or two machines. It may be even lower. So there is a mandated number on the number of machines based on the number of registered voters. So it's not up to us to say one or two.

LEG. ALDEN:

Thank you.

CHAIRMAN MONTANO:

Legislator D'Amaro.

LEG. D'AMARO:

Thank you. Good morning. The request that you are making for the nice

round figure of a million dollars, that would be in place in the event that those funds are needed to comply with your •• or the Plan A coming online in '07; is that correct?

MS. KATZ:

Yes. And to compensate for the money we're going to spend in Plan B.

LEG. D'AMARO:

All right. So it's for both.

MS. KATZ:

Right.

LEG. D'AMARO:

All right. From the Federal Government to the State Government is where the HAVA money is actually flowing through, and what you're saying is the state is going to cut 5% •• most likely cut 5% off the top before funneling that money down to Suffolk County.

MS. KATZ:

Correct.

LEG. D'AMARO:

I just want to make sure that your request is accurate. How do we know that we don't need more?

MS. KATZ:

Right, but ••

LEG. D'AMARO:

How do we know?

MS. KATZ:

•• just so everyone understands because a million is a round figure, it could be 927,000 exactly if everyone wants. It's 770,000 for the 5% match and a 150,000 for the Plan B, 927,000 so.

LEG. D'AMARO:

Well, in other words, the 100% coming whether we match it or whether we got 100%, we know that funding will cover purchasing all the machines that we need to be in compliance, we know that.

MS. KATZ:

We think it will be based on my response to Legislator Alden. We are getting just for the machines alone 14 million and change. So we are getting the great deal of money. That's the 5% issue. We think it's enough. If the State Board of Elections suddenly announces that every machine can only handle 400 voters, all bets are off obviously, because now you need twice as many machines. But I understand, I understand about the Capital Budget, we try very hard not to come with too much of a theoretical request. You know, I mean, we'd love \$100 million, obviously, but realistically we're trying to peg it to what we think we will really need. There's just no way to know until we get closer.

LEG. D'AMARO:

Okay. Thank you.

CHAIRMAN MONTANO:

Mr. Presiding Officer.

P.O. LINDSAY:

Just really an observation if I have this right. I mean, HAVA we've known that we have to comply with it for, what, three years now? The money was appropriated by the Federal Government, the state is taken 5% off top and might mandate that we have to buy more machines.

MS. KATZ:

Yes.

P.O. LINDSAY:

And they've dragged their feet for so long, we're winding up •• we were sued and we have to spend \$150,000 on machines that most people will never use and we can only use them once.

MS. KATZ:

Correct. That's why we both enjoy coming here so much, Commissioner Garfinkle and I.

P.O. LINDSAY:

The only comment I have is if we don't have enough money, and you know, you have to cut back on machines, take them out of Alden's district.

MS. KATZ:

I think if it comes to that, we're going to ask for volunteers. 2007 is the year.

LEG. ALDEN:

I'll volunteer, and I'll do the count myself.

CHAIRMAN MONTANO:

Legislator Romaine, you have a question.

LEG. ROMAINE:

Quick question. If you have recommendation of what action this body should take as Commissioner of Board of Elections, what would that be?

MS. KATZ:

We need the extra one million dollars to cover 5% match, which it appears the state is going to take off the top and not pay for us, and the money to cover the Plan B machines, which is \$150,000. So 927,000 or a million. The money for the actual machines, the Federal Government has sent it to the state going under the presumption that the judge does not allow what the Presiding Officer was saying, that the judge does not turn around and say, New York State, you have screwed it up so badly, we're not giving you any HAVA money, I think we will okay. But it's an equivocal answer because the state has not finalized everything.

LEG. ROMAINE:

So you need a million dollars.

MS. KATZ:

That's it.

LEG. ROMAINE:

Right now the County Executive in his proposed budget, I believe, has zeroed out any money for this year or 2000 and ••

LEG. BROWNING:

I'm sorry, Legislator Romaine, perhaps you missed the beginning of the presentation.

LEG. ROMAINE:

I did.

MS. KATZ:

He has included our request for 1461, which is modifications to the warehouse, that's the upgrade for the batteries, all the electrical wiring and the air conditioning that we need in the warehouse. That's the only request. I have not made this request to the County Executive, it has just happened. I spoke to the Presiding Officer first.

LEG. ROMAINE:

So it's a million dollars that you feel that we would have to put in our Capital Budget. And what would that be for, 2007 or 2006? When do you need to spend the money?

MS. KATZ:

Since the state has the money, they will be subtracting it. I would that in 2007 when we pay for the machines, for one for each ED or two, that is when the money will run out. 2007 would cover us.

LEG. ROMAINE:

So we have to put it in the 2007 Capital Budget.

MS. KATZ:

For that extra million, yes.

LEG. ROMAINE:

Good. And hopefully •• I see the County Exec's representative is here, hopefully we will have his corporation in this endeavor. Thank you.

MS. KATZ:

You're welcome.

CHAIRMAN MONTANO:

Mr. Presiding Officer.

P.O. LINDSAY:

Anita, we are not •• I mean, this \$14 million, the state isn't going to send us that money, right?

MS. KATZ:

No. They buy the machines, we tell them •• we place an order through them.

P.O. LINDSAY:

They keep the interest too.

MS. KATZ:

Yes. They're probably keeping the interest too. I'll call you if they give it to us.

CHAIRMAN MONTANO:

Legislator Kennedy.

LEG. KENNEDY:

Thank you, Mr. Chair. Just so that I understand where we are at with some

of this. Depsite what's going on with as far as this litigation, the funding, the lack of, the inclusion, this, that and the other thing, we heard literally many hours of testimony advocating for one methods of machine or the other, DREs or scanning, is that still something that's an open question at this point, or has the state made some kind of a decision?

And the second part of that is I still don't understand. Is that a decision that the state makes and then tell us as far as what to purchase, or is that something that we at the County level are electing?

MS. KATZ:

Let me clarify, I'm not sure it's either one. The New York State Board of Elections chose not to choose one machine for the state.

LEG. KENNEDY:

Outstanding. Excellent.

MS. KATZ:

I understand, believe me. It certainly would be easier for the local Commissioners, I wouldn't deny it. They have passed it along to the Commissioners. We are the sole choosers. Each county, obviously with two commissioners, if they can agree, then they send their choice to the state, the state bundles it, renegotiates the bid and tries to get a price. For instance, if Nassau and Suffolk were to pick the same manufacturer, obviously we're huge counties, that would be a cost savings. They are not giving any recommendations. They will simply put out a list, which they have

yet to do, of certified machines from which the two commissioners choose. If the two commissioners do not agree, then supposedly the New York State Board of Elections would choose for them. But we are the ones who have to choose.

LEG. KENNEDY:

Okay. And without going too much further, I guess, I'm just going to try to ask it again in a simple fashion. Do you and Commissioner Garfinkle feel comfortable making this decision since it appears to be significantly different technology with a variety of different representations that have been made, particularly concerning presence of a paper ballot or lack thereof and the ability, however remote, to go in and have some kind of manipulation or alteration of votes cast? I guess what I'm asking you is are you now engaging somebody who's going to advise from a technical perspective or from a computer perspective? How's the decision making going?

MS. KATZ:

No, we are not. We have had presentations from all of the various manufacturers. I have to tell you that in Suffolk County, we have the best IT person on staff, Vijay Kumar, who is being •• who serves on all of the New York State Committees. I got a call from the Democratic Director of the New York State Board of Elections recently saying, could we get him on a committee for us. He's working on the state•wide data base. We have the best information.

Without being too detailed, I think the really unfortunate thing about all of the advocacy groups who come and speak to various bodies, and I have met with them all, I have spoken at Ways and Means, is their inaccurate information, and it is not their fault, but they will disseminate it with great

verve. The issue of machines being broken into, they are not networked. They would have to break into the Board of Elections and go from machine to machine for all of them. New York State has some of the best rules and regulations. It was very late in coming, we know. But we were the first in mandating a paper trail, and it is large. It is larger than this piece of paper. Everyone tells me it's the size of an ATM machine, it's not. It's about this long and this wide, bigger than a supermarket receipt, big font. So there are two sides to both issues, I think, is really what it is. We'll be doing our analysis, we're working in conjunction with the New York City and the Nassau County Board of Elections. And in the end, we will make a choice.

LEG. KENNEDY:

And we have sufficient technical expertise on our side in •• house to advise as to which is the best route to go?

MS. KATZ:

Yes, we do.

LEG. KENNEDY:

Good. Thank you.

CHAIRMAN MONTANO:

Legislator Stern.

LEG. STERN:

Just a quick question. I just wanted to confirm, the one million dollar amount is allocated in '07, I just wanted to make sure that you believe you have sufficient resources to purchase the Plan B machines for 2006?

MS. KATZ:

Yes, because in the final analysis, the Plan B machines, which we will not get if we •• we just literally placed an order a few days ago, all the different counties, we will not get them probably until August. And the HAVA money •
• New York State has the HAVA money. They have our 14 million sitting in an account somewhere. So they would be able to pay for those machines from our money. The problem will be when we buy all the machines next year, we're going to be short. It's like a home budget, we'll just be short at the end of the month so to speak. We'll be short a million perhaps, and then we won't be able to buy enough machines.

LEG. MONTANO:

Commission Katz, thank you very much.

MS. KATZ:

Thank you all. And if you need me and Commissioner Garfinkle to come back and talk at another committee meeting about HAVA, we will be glad to.

CHAIRMAN MONTANO:

Will do. Thank you, Anita. We have one more card, and that's Penny Wells •LaValle from the Real Property Tax Service Agency. And the card indicated Capital Budget Number 1758. Penny, how are you. Sorry it took so long.

MS. LAVALLE:

Good morning, Mr. Chairman. I am here to speak on Capital Program 1758 as you've indicated, but first I want to congratulate the County Clerk and Judy Pascale and the former County Clerk For their award.

You've heard this morning many times how great Suffolk County, and I think you all should be very proud. We hear how great our IT is, we hear we are the epitome in certain areas, and I will concur with that. To say that it is the collaboration of all our agencies and people working together very well to make that happen. 1758 is part of that collaboration. I'm been into most all of your offices or spoken with your staff on the importance of what the Capital Project is called, the GEO Data Base Migration and Implementation. It sounds like a lot, but simply, it's converting our tax maps that are in basically a picture format into a GIS environment, that Geographic Information Systems.

Three primary reasons for the Capital Project to move forward; one, we talk people, we talk about the sharing of data. It's important for our security, our homeland security, our police, our FRES, all those agencies to have our keystone our data base, the same data base to access and in an environment where it's easy for them to access. The second thing is that the Capital Program project will streamline County Government, Town Government and State Government, all we will all be sharing the same information.

The third thing is something I know that everyone looks at at these times, the return on the investment. And this project, the investment in this project is amortized over, I do a conservative projection of five years. Our revenues over the course of the year and our verification system ranges between ten and \$13 million net, and this will help enhance the revenues into our system in subscriptions and streamlining government.

Most of you received a small packet from me. I have done a preliminary analysis of the return on the investment just for County and some towns. The first year, the return on that investment is 155,000 that they would be saving in conversion time in their own offices. Basically, that's the program. We need it to move forward. This project was proposed in 2004. It was approved for 2007. 2005, I asked for it to be moved forward, and I'm back today to ask you to continue with this project, to allocate the funds and give consideration to moving it forward. Questions?

LEG. MONTANO:

Penny, I just want to be clear. As I'm reading this, 848 was already appropriated, and the 2007 includes 618 in 2007 and 250,000 2009, is that what you're looking for?

MS. LAVALLE:

These are new funds, 868,000 total new funds in the 2007 Capital Project. We had a previous •• one previous Capital Project that was a conversion of our linear data base into an Oracle data base, that is complete. This is a new project, converting the tax maps now.

CHAIRMAN MONTANO:

And what is the amount on that.

MS. LAVALLE:

868,000 and some change. Two•fifty the County Executive has put in in 2009.

CHAIRMAN MONTANO:

Is that what you're saying, that you want that, or you want it moved up? I'm not sure, Gail, what was your recommendation on that. Am I misreading something here?

MS. VIZZINI:

No. We fell short of making a specific recommendation, although we do point out that delaying it to 2009 has inherent inefficiencies.

CHAIRMAN MONTANO:

Delaying the 250,000, because we have it in 2007.

MS. LAVALLE:

There's 600,000 ••

CHAIRMAN MONTANO:

In 2007. You're fine with that? The 250,000 in 2009, I think you're advocating to move that to 2007?

MS. LAVALLE:

Yes.

LEG. MONTANO:

Legislator Alden then Legislator Romaine.

LEG. ALDEN:

Actually, if I heard you correctly and in the conversations that we had, it would be beneficial to us to move it into '06 if that's at all possible. That's a different analysis we have to do. But the least you want it is to remain in '07.

MS. LAVALLE:

Yes.

LEG. ALDEN:

And move the other piece of it up into '07.

MS. LAVALLE:

Absolutely.

LEG. ALDEN:

Okay.

MS. LAVALLE:

The sooner we do it, the better.

LEG. MONTANO:

Question. What was •• do you have any idea was the point was of putting the 250,000 in '09? If you know.

MS. LAVALLE:

No, I don't know.

LEG. MONTANO:

Legislator Romaine, go ahead.

LEG. ROMAINE:

Penny, when this project is finished, tell us the benefits of getting this project done sooner than later. What will your office experience as a result of this project being finished? What's the benefit to the County? I think the Legislators should know the benefit to the County for this.

MS. LAVALLE:

Well, the benefit to the County is that homeland security disaster, that's on everyone's minds, hurricanes, you know, we're talking •• you mentioned that •• the County Clerk mentioned that this morning. We would provide in an environment, the most current land information to all of the agencies without them currently •• the police have to take our files and convert. Every agency has to do that right now. We get multiple requests from many agencies, and we really have to deal •• I mean, 20 requests a month from agencies for information. And they're chagrined when they hear that we're still in a DGN format, which is a picture format basically.

Saving money, streamlining our government, we're sharing the information with the towns currently, and the delay in this process has meant that some towns •• actually, there are individuals, and I can't blame them, I think I would do it if I were in their case, actually the base map that we have given, their making their own ••

LEG. ROMAINE:

Data base.

MS. LAVALLE:

•• data bases from that. And you really want to have one data base that everyone is sharing that is the same data base, because there are errors any time anyone touches that information. And we actually are the sole authority to prepare the tax maps.

One other thing with the collaborative efforts with the County Clerk and Real Property, the •• I've also had many individuals from around the state looking at our verification process and how we verify the deeds and the documents before it goes to recording. In our office, we have to have that tax map number on the document before it goes down for recording, and it's a very clean process. Not to mention the fact that we accrue revenues for it.

Recently, I had the Comptroller's Office in Nassau County come out and look process at that process to see if there were some additional revenues that they could accrue by changing their process. I believe there's only one other county in the state that does it this way. I mean, there's a lot of things to be proud of in Suffolk. But we would be saving money, streamlining government, providing real•time data for all of the County. Many of you have tried in the office, you use right now our Aries System with the ownership, and what you are seeing there is real•time information. When that •• as soon as we pull from the Clerk that liberin page we know that that document is recorded, you see it in your office. You have it attached to a map.

LEG. ROMAINE:

Just to walk through, what you're attempting to do it to digitize the tax maps

in a format that would be available. That's essentially what this project is about.

MS. LAVALLE:

It's more than that. You look at a flat map and you look at a map and you don't think that there's many components of it. We're actually taking every map that you see in your tax map albums is probably about 60 levels of information that we collect in our office. Every time a tax map is split and changed, there are a number of my mappers •• I welcome you all to come in and see the process of what they do to make that flat tax map. What we will be doing in this project is taking that map, converting it to a more relational data base, not a picture, but a data base, it's called GeoSpatial where it becomes a tabular form that sort of builds the maps on the fly that you will be able to do many layers on and print, much more of an analysis for •• even the Assessor's Office in what they call (CAMA), which is a mass appraisal process, Planning, we share a lot of information with the Town Zoning Boards and that information comes back. So the information would be more readily available and easier to share.

LEG. ROMAINE:

Would this be that basis of the County's •• would this be a building block in the County's GIS program?

MS. LAVALLE:

Yes, that's what it is.

LEG. ROMAINE:

It would be a key component in which you would layer on everything else for a GIS system.

MS. LAVALLE:

The land management system that you set up, every layer, everything would be attached. As an individual in the past, Jack Rice, some of you may remember, he said that 85% of all the information can be located on a point on the earth. You have to think about that, but it's true.

LEG. ROMAINE:

That's, I think, very important, because a lot of people use GIS, obviously for planning purposes, land acquisition purposes, police protection, all types of services that we provide. All that data is so critical to make decisions, intelligent decisions about the allocation of government funding, etcetera, etcetera, response time, etcetera. I just want to point out that it is a building block for GIS. Thank you very much.

MS. LAVALLE:

Thank you.

LEG. MONTANO:

Penny, Chairman D'Amaro has a question for you.

LEG. D'AMARO:

Just a quick question. On the 250,000 that's scheduled in the Executive's Budget proposal for 2009, is that earmarked for a specific purpose?

MS. LAVALLE:

Yes. That's take this conversion and •• so once the conversion is done and my staff are trained in this new process, we create those tax maps every year, we publish them once a year, and that is to take new software and provide the tools, the coding and the development, to make those books.

LEG. D'AMARO:

All right. Is that what you call map book implementation?

MS. LAVALLE:

Yes. That's correct. Those are the albums.

LEG. D'AMARO:

Was your budget request to pull that into '07 or '08?

MS. LAVALLE:

'08 is appropriate so that there is a sequence •• I'm looking at •• actually I'd love for you all to push it into 2006, the whole project.

LEG. ROMAINE:

Well, say that them.

MS. LAVALLE:

Thank you.

CHAIRMAN MONTANO:

She said that.

LEG. D'AMARO:

Wait a minute. The point being that, you know, when do you really need the money, that's my point.

MS. LAVALLE:

It takes a long time to develop the tools. We have been in digitized tax map for approximately 20 years, not complete, but we completed •• we start in 1985 and we finished in 1997, digitizing all the tax maps. We have 585,000 parcels. But taking that information and creating the tax map as you have in your offices now, it's a project, it's an enormous project.

LEG. D'AMARO:

So would you be comfortable with either leaving it in '09 or bring it into '08?

MS. LAVALLE:

I would be happy with '08, very happy.

LEG. D'AMARO:

Thank you.

MS. LAVALLE:

Thank you.

CHAIRMAN MONTANO:

Legislator Kennedy.

LEG. KENNEDY:

Thank you, Mr. Chair. Hi, Penny, how are you?

MS. LAVALLE:

Good morning.

LEG. KENNEDY:

I just wanted to go a little bit further with the GIS aspect of the project and some of the comments that you came back to with Legislator Romaine. I believe that we have the actual GIS study initiative that's going on right now for all of the various departments that are utilizing GIS. So this project will harmonize with those other individual data bases that exist out in the various departments like DPW and the PD? Will there be the benefit to be able and to go ahead intergrade them, or will you project essentially subsume all those other projects that are out there?

MS. LAVALLE:

Well, it will set a standard for the County. Right now, the ESRI software map we're planning on converting our maps to is of a universal standard then the DGN files that we're currently in. Currently the police use a map info, and that works well with the ESRI. Most every other GIS software works better with the ESRI. We are not in a GIS environment, that's the whole purpose. And we are going to a standard that Planning is using now, that Probation uses, there are a number of other that many of the towns are using. So we're moving the process along so that they can share information, they can go on and do other projects instead of converting them.

LEG. KENNEDY:

There's also the other aspect, I believe, of external support entities that utilize GIS as well, including Water Authority and KeySpan for the purposes of

putting in some of those layers of infrastructure so that you get a composite picture, if you will, when you look at it. Now, I assume the ESRI would have a better ability to harmonize with those GIS data bases as well; is that correct?

MS. LAVALLE:

That's correct. We have a license agreement that goes back a number of years with KeySpan for •• I'm sorry, LIPA, LIPA •• for sharing our information, and then they would locate their properties and locate •• they have a huge project locating the poles on the Island. And we have since then received some information back from them to help FRES.

LEG. KENNEDY:

They're doing that also with things like underground transmission lines, with gas mains, any of the things that are kind of critical when we have people out there doing work in a particular area or, again, in the need •• you know, in the event of some type of an emergency situation, the ability to locate those systems quickly.

MS. LAVALLE:

Exactly.

LEG. KENNEDY:

This project will help to facilitate?

MS. LAVALLE:

Absolutely, yeah. The Water Authority, as I said before, it's a collegial environment. We have shared information with the Water Authority, and there's to be said for the work they have done, even in terms of address matching, you know yourself what an issue that is. Right now we're collecting the owner's address and the billing address and the physical address if it's on the 5217. So there's, you know, multiple things, because the Police and FRES need to know the actually physical address, but also where the owner is, to locate the owner of there a property. If it's a commercial building you don't have that.

LEG. KENNEDY:

Good. Thank you.

CHAIRMAN MONTANO:

Penny, what's the MAI and the CCD and CCIM after your name?

MS. LAVALLE:

One is an appraisal designation, it's recognized nationally. You have a commercial appraisal, you probably want to •• and the CCIM is something commercial real estate •• the National Association of Realtors and their commercial investment, and the CD is the state destination.

LEG. MONTANO:

Thank you.

MS. LAVALLE:

Thank you.

LEG. MONTANO:

Legislator Alden has a question.

LEG. ALDEN:

Penny, I just want to clarify something, because in our conversations and after our conversations the past couple of days, I had planned on advocating for the possibility of moving the main project up to '06 and that secondary project possibly to '07 or even to '06. Our answer to Legislator D'Amaro indicated that you would be happy with it in '07•'08.

MS. LAVALLE:

I would be thrilled with it in 2006. I would be thrilled if you could move it up now, everyone would benefit. I want to make that clear, sooner is better. I want the project move forward. I would be thrilled with 2006 if you can work that out. 2006 600,000 and 2007 for the 250,000. If you can do that, you would all benefit.

LEG. D'AMARO:

My question was, you know, is •• would it makes sense to do that given the

track of the project? Will you actually need the funding in those years? Because if the map implementation was the last step in the process, and we move that into '07, do you actually need those funds in '07? Is that your judgement?

MS. LAVALLE:

My judgement would be at the end of the year in 2007, we would be asking for the appropriation of those funds. It will take us a good year to do the conversion. If the track of the funding, if you authorize or support the 2006 funding, we would go through various RFP processes. I don't expect the project then to ••

LEG. D'AMARO:

I don't think we can do it in '06 without providing an offset.

LEG. ALDEN:

I have one in mind.

LEG. D'AMARO:

So you're ready now in this process for the funding that we have •• that we're proposing in '07, you are ready for that now.

MS. LAVALLE:

I can start moving forward now.

LEG. D'AMARO:

In other words, if it were in the '06 budget, you would request that it be appropriated immediately?

MS. LAVALLE:

Yes, and I can start with the RFPs.

LEG. D'AMARO:

And you feel that in the end of '07, you would need the additional 250.

MS. LAVALLE:

Yes. Absolutely. It would be great.

LEG. D'AMARO:

Thank you. Thank you very much.

MS. LAVALLE:

Thank you all for your time. I appreciate it.

LEG. MONTANO:

If there are no further business of the various committees, I guess we are adjourned. Thank you.

(* THE MEETING WAS ADJOURNED AT 11:30 A.M.*)

{ } DENOTES BEING SPELLED PHONETICALLY